

REMARKS

Claims 1, 4-6, 8, 11-13, 15-20, and 23-25 are pending. Claims 2, 3, 7, 9, 10, 14, 21, 22, and 26 are withdrawn. Applicants respectfully request reconsideration.

Claims 1, 6, 8, 13, 15-20, and 25 stand rejected under 35 USC 103(a) as unpatentable over Nishikawa, U.S. Patent No. 5,475,481, in view of Wassermann, U.S. Patent No. 3,259,288. This rejection is respectfully traversed.

The Examiner asserts that Nishikawa teaches all of the claimed features of claim 1 except for the breaking device between said paper supply device and said tractor 34. The Examiner asserts that it would have been obvious to have modified Nishikawa in view of Wassermann to create the claimed invention. Applicants respectfully disagree.

Nishikawa teaches a tractor 34 at one end and a pair of rollers at the other end, including a heat roller 50 and a press roller 52 which act to hold the paper in place (i.e., acts as a brake). Together, elements 34 and the rollers 50 and 52 stably support the paper at the image forming area. Wassermann, on the other hand, teaches a braking device 19 and tractor 2 so that the paper is stably supported at the printing portion. Both of these devices seek to stably support/secure the paper as it is being printed. Modifying Nishikawa in view of Wassermann to provide the brake 19 merely duplicates a function already provided by Nishikawa's device and serves no added purpose not already realized by the device. The only motivation to modify Nishikawa in view of Wassermann as suggested by the Examiner would be in an attempt to recreate the claimed invention in hindsight. The Examiner is not permitted to do this, and thus applicants request that this rejection be withdrawn.

Claims 8 and 17 recite substantially similar subject matter as claim 1. Therefore, these independent claims also are allowable. Accordingly, the claims that depend from these claims are allowable.

Claims 4, 11 and 23 stand rejected under 35 USC 103(a) as unpatentable over Nishikawa in view of Wassermann, and further in view of Nishimura, U.S. Patent No. 5,018,888. Applicants respectfully traverse the rejection.

Nishimura is drawn to a paper tension adjusting device. However, Nishimura fails to cure the defects, as stated in the remarks above, found in Nishikawa and Wassermann. Therefore, the rejection should be withdrawn.

Claims 5, 12 and 24 stand rejected under 35 USC 103(a) as unpatentable over Nishikawa in view of Wassermann, and further in view of Ara Yoji (JP 61-094955 A). Applicants respectfully traverse the rejection.

Yoji is drawn to feeding sheet material regardless of high temperature or high humidity (see Yoji, English Abstract). Yoji does not cure the defects found in either of Nishikawa or Wassermann, or any combination thereof. Thus, the rejection should be withdrawn.

Claims 1, 6, 8, 13, 15-20 and 25 stand rejected under 35 USC 103(a) as unpatentable over Nishikawa in view of Puritscher, U.S. Patent No. 6,370,351 B1. Applicants respectfully traverse the rejection.

As stated above, Nishikawa already provides structure to hold the paper in place, despite the fact that this structure fails to meet the claim limitations of claim 1. Modifying Nishikawa in view of Puritscher to provide a redundant function is impermissible hindsight and is insufficient motivation for one of ordinary skill to create the claimed invention. For the reasons set forth above, applicants request that this rejection be withdrawn.

Claims 4, 11, and 23 stand rejected under 35 USC 103(a) on Nishikawa in view of Puritscher and further in view of Nishimura. The rejection is respectfully traversed.

Neither Puritscher nor Nishimura cure the defects found in Nishikawa. Therefore, the rejection should be withdrawn.

Claims 5, 12 and 24 stand rejected under 35 USC 103(a) on Nishikawa in view of Puritscher, and further in view of Ara Yoji.

The defects of Nishikawa are not cured by either Puritscher or Yoji, or any combination thereof. Therefore, it is respectfully requested that the rejection be withdrawn.

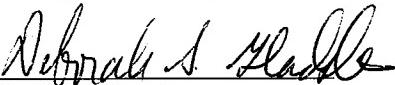
Since none of the references, or any combination thereof, either discloses or suggests the combination of elements as recited in claim 1, the claim is allowable. Independent claims 8 and 17 recite substantially similar subject matter as claim 1. Therefore, claims 8 and 17 are allowable. The claims depending from these independent claims are allowable at least due to their respective dependencies.

In view of the above, each of the claims in this application is in immediate condition for allowance. Accordingly, applicants solicit early action in the form of a Notice of Allowance.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **325772024500**.

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